

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

HON. MARK E. FULLER, PRESIDING

AT MONTGOMERY, AL

DATE COMMENCED: 5/1/06
DATE COMPLETED: 6/29/06

AT: 8:40 a.m.
AT: 4:00 p.m.

UNITED STATES OF AMERICA
vs.

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§
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§

CR. NO. 2:05CR119-F

DON EUGENE SIEGELMAN, ET AL.

GOVERNMENT

APPEARANCES:

DEFENDANT

Louis V. Franklin, Sr.
Stephen P. Feaga
J.B. Perrine
Jennifer Garrett
Richard C. Pilger
Joseph L. Fitzpatrick, Jr.

George R. Blakey - Siegelman
Charles Redding Pitt - Siegelman
Vince Kilborn - Siegelman
David A. McDonald - Siegelman
Arthur W. Leach - Scrushy
Leslie Vernon Moore - Scrushy
Fred Gray, Sr. - Scrushy
Terry Butts - Scrushy
Stewart D. McKnight, III. - Roberts
Samuel J. Briskman - Roberts
Bill Baxley - Roberts
Michele Nicrosi - Hamrick
Jeff Deen - Hamrick

COURT OFFICIALS PRESENT:

Meredyth Cohen, Law Clerk
Kelli Gregg, Courtroom Clerk
Jimmy Dickens, Court Reporter

Barbara Wells, Law Clerk
Josh Clayton, Law Clerk

COURTROOM PROCEEDINGS:

(X) **Jury Trial**

8:40 a.m. - Court convenes.
Court takes up the Motion to Exempt Curran under Rule 615 filed last

Friday, (Doc. #389).

Court will GRANT that motion.

Government asks the Court to allow Keith Baker and Jim Murray with the FBI to be allowed to sit at counsels table during the trial.

Court will GRANT this motion.

Attorney Leach asks that Mr. Gray be allowed to enter in as counsel for trial at this time.

Attorney Leach asks the Court about the status of the motion regarding the jury wheel and wants the Court to know that they have not waived their rights about this motion and trial beginning before the motion is ruled on.

Court assures counsel that his objections regarding the jury wheel are on the record and that they have not been waived.

Court asks Attorney Leach where his exhibits are that were due last Friday and that they will need to be here as soon as possible.

9:00 a.m. - Court is in recess.

9:20 a.m. - Court reconvenes.

Court OVERRULES Attorney Leaches' Motion regarding Jury Wheel.

Court takes up the introduction of Attorney Fred Gray to the jury panel and qualifies attorney to panel. Court allows Attorney Fred Gray in the case.

Court allows Philip Rawls under Rule 615 Exemption.

Court gives preliminary instructions to the jury.

Opening statements begin. Government takes 57 minutes.

11:00 a.m. - Court is in recess.

11:30 a.m. - Court reconvenes.

Government objects to one of dft. Siegelman's charts to be used during their opening statements.

Court will ask counsel to redact a certain portion of the chart before it is used during opening statements.

Opening statements resume. Defendant Siegelman takes 56 minutes.

12:40 p.m. - Court is in recess.

1:40 p.m. - Court reconvenes.

Opening statements resume. Defendant Hamrick takes 43 minutes.

Defendant Roberts takes 40 minutes. Defendant Scrushy takes 45 minutes.

3:55 p.m. - Court is in recess.

4:20 p.m. - Court reconvenes.

Government calls their first witness Alva Lambert to testify.

5:25 p.m. - Court is in recess.

DAY TWO

5/2/06

9:05 a.m. - Court convenes.

Testimony resumes of witness Alva Lambert.

Counsel for dft. Siegelman begins cross-examination of witness Lambert.

Counsel for dft. Hamrick begins cross-examination of witness Lambert.
Counsel for dft. Scrushy begins cross-examination of witness Lambert.
10:55 a.m. - Court is in recess.
11:15 a.m. - Court reconvenes.
Cross-examination resumes by counsel for dft. Scrushy of witness Lambert.
Government begins redirect of witness Lambert.
Counsel for dft. Scrushy begins re-cross examination of witness Lambert.
Government calls Nick Bailey to testify.
Jury is excused for lunch.
Counsel for Roberts Motions the Court that the exhibits that have been introduced do not have anything to do with his client and wants the Court to instruct the jurors as to that.
Government objects.
Court DENIES motion.
Government goes over what they think witness Bailey will testify to.
Counsel for all dfts. argue their position regarding the proposed testimony of witness Bailey.
12:40 p.m. - Court is in recess.
1:15 p.m. - Court reconvenes.
Court states that dft. Scrushy's and Hamrick's 801(b)(2) statements objections are overruled.
Jury panel is seated.
Testimony of witness Bailey begins.
2:55 p.m. - Court is in recess.
3:25 p.m. - Court reconvenes.
Testimony of witness Bailey resumes.
5:10 p.m. - Court is in recess.

DAY THREE

5/3/06

9:05 a.m. - Court convenes.
Testimony of witness Bailey resumes.
At side bar (outside jury presence) dft. Roberts Motions the Court to instruct the jury that the complaints received on Rain Line were not about the truthfulness but that they were only complaints by citizens.
Court GRANTS motion and instructs the jury.
Counsel for dft. Siegelman begins cross-examination of witness Bailey.
10:25 a.m. - Court is in recess.
Outside presence of jury counsel for dft. Scrushy argues his position to the Court regarding the 801 co-conspirator statements with witness Bailey.
Court has considered proffer from the Government regarding statement regarding Mr. Hanson of witness Bailey. Ruling is still the same.
10:55 a.m. - Court holds In Camera Hearing in robing room with juror.

11:00 a.m. - Court reconvenes and jury is seated.
Counsel for dft. Siegleman resumes cross-examination of witness Bailey.
12:05 p.m. - Court is in recess.
1:15 p.m. - Court reconvenes.
Counsel for dft. Siegleman resumes cross-examination of witness Bailey.
2:35 p.m. - Court is in recess.
2:55 p.m. - Court reconvenes and holds In Camera Hearing in robing room with juror.
3:05 p.m. - Court reconvenes and jury is seated.
Counsel for dft. Siegleman resumes cross-examination of witness Bailey.
5:25 p.m. - Court is in recess.

DAY FOUR

5/4/06

9:10 a.m. - Court convenes.
Counsel for dft. Siegleman resumes cross-examination of witness Bailey.
10:35 a.m. - Court is in recess.
10:50 a.m. - Court reconvenes.
Counsel for dft. Siegleman resumes cross-examination of witness Bailey.
11:15 a.m. - Court is in recess.
1:45 p.m. - Court reconvenes.
Counsel for dft. Hamrick begins cross-examination of witness Bailey.
3:00 p.m. - Court is in recess.
3:25 p.m. - Court reconvenes.
Court takes up issues outside presence of jury with counsel.
Court takes up Atty. Blakey entering an appearance at this time.
Government objects to this.
Counsel states that Atty. Blakey will not argue before the jury, only outside of their presence.
Jury is seated.
Counsel for dft. Hamrick resumes cross-examination of witness Bailey.
Counsel for dft. Scrushy begins cross-examination of witness Bailey.
5:10 p.m. - Court is in recess.

DAY FIVE

5/5/06

9:10 a.m. - Court convenes.
Outside presence of the jury, counsel for dft Scrushy takes up Brady Material regarding witness Bailey's testimony and the changing of

testimony as to the sequence of events. Dft. Siegelman joins in on this argument.

Government responds to counsel's argument.

As to the material about witness Bailey, the Court is ordering the Government to go over with every agency involved, to report back to the defense about any material that was not turned over. Court finds that the dfts have the 302 information and it is not prejudicial, not produced in bad faith and if there are any matters not turned over regarding witnesses, they will turn over this information before trial on Monday.

Counsel for dft. Scrushy wants the Court to order attorney Feaga not to have speaking objections in this case. Also, ask the Court to order Feaga not to offer any more stipulations to counsel.

Government responds to counsels requests.

Court discusses issues brought up this morning with all counsel.

Jury is seated.

Counsel for dft. Scrushy resumes cross-examination of witness Bailey.

10:50 a.m. - Court is in recess.

11:10 a.m. - Court reconvenes.

Counsel for dft. Scrushy resumes cross-examination of witness Bailey.

12:10 p.m. - Court is in recess.

Court holds In Camera Hearing in robing room with juror.

1:15 p.m. - Court reconvenes.

Counsel for dft. Scrushy resumes cross-examination of witness Bailey.

Government has no re-direct for witness Bailey.

Jury is excused for break.

Counsel for dft. Roberts would like limited instructions to be given to the jury.

Court addresses concerns from counsel about limited instructions to be given to the jury panel regarding their clients.

Government opposes the Court giving limited instructions to the jury.

Jury is seated.

Court addresses the jury about several issues and then excuses them for the weekend.

3:30 p.m. - Court holds In Camera Hearing in robing room with juror.

3:35 p.m. - Court is in recess.

DAY SIX

5/8/06

8:35 a.m. - Court convenes.

Court enquires as to any exculpatory information from the Government. Government states that there is no more information that has not been provided.

Counsel for dft. Scrushy enquires about Brady Material that was brought

out during witness Baileys' testimony.
Government responds to enquiries.
Jury is seated.
Government calls Darren Richard Cline to testify.

9:55 a.m. - Court is in recess.
10:20 a.m. - Court reconvenes.
Counsel for dft. Siegelman begins cross-examination of witness Cline.
11:40 a.m. - Court is in recess.
12:55 p.m. - Court reconvenes.
Counsel for dft. Hamrick begins cross-examination of witness Cline.
Counsel for dft. Roberts begins cross-examination of witness Cline.
Counsel for dft. Scrushy begins cross-examination of witness Cline.
Government begins re-direct of witness Cline.
Counsel for dft. Siegelman begins re-cross examination of witness Cline.
Counsel for dft. Scrushy begins re-cross examination of witness Cline.

2:35 p.m. - Court is in recess.
3:00 p.m. - Court reconvenes.
Government calls their next witness Raymond Lloyd Bell, Jr. to testify.
Counsel for dft. Siegelman begins cross-examination of witness Bell.
Counsel for dft. Hamrick begins cross-examination of witness Bell.
Counsel for dft. Roberts begins cross-examination of witness Bell.
Counsel for dft. Scrushy begins cross-examination of witness Bell.
Government begins re-direct of witness Bell.
Government calls their next witness Josh Hayes to testify.
Counsel for dft. Siegelman begins cross-examination of witness Hayes.
Counsel for dft. Hamrick begins cross-examination of witness Hayes.
Counsel for dft. Scrushy begins cross-examination of witness Hayes.
Government begins re-direct of witness Hayes.
Counsel for dft. Siegelman begins re-cross examination of witness Hayes.

6:00 p.m. - Court is in recess.

DAY SEVEN
5/9/06

8:45 a.m. - Court convenes.
Counsel for dft. Siegelman wants the Court to instruct the jury that the IHS check didn't go through the Boston account but through an account in Alabama.
Government objects to this instruction being given to the jury.
Court addresses this issue and will deny this request.
Counsel for dft. Scrushy does not want the Government to bring up the Healthsouth case from Birmingham to the jury.
Government argues their position regarding this issue.
Court addresses this issue with counsel and will conditionally grant this.

Jury is seated.
Government calls their next witness Margaret Taylor Sellers to testify.
Counsel for dft. Scrushy begins cross-examination of witness Sellers.
Counsel for dft. Siegelman begins cross-examination of witness Sellers.
Counsel for dft. Hamrick begins cross-examination of witness Sellers.
Government begins re-direct of witness Sellers.
Counsel for dft. Siegelman begins re-cross examination of witness Sellers.
Counsel for dft. Scrushy begins re-cross examination of witness Sellers.
Government calls their next witness William McGahan to testify.

10:40 a.m. - Court is in recess.

11:10 a.m. - Court reconvenes.
Counsel for dft. Scrushy states some co-conspirator hearsay issues with witness McGahan and that we may possibly need a James Hearing and Mike Martin and Leif Murphy statements that may come through witness McGahan.
Government responds to requests by dft. Scrushy.
Court will allow testimony.
Jury is seated.
Testimony of witness McGahan begins.
Jury is excused for lunch at this time while Court takes up issues with counsel.
Government discusses co-conspirator issues.
Counsel for dft. Scrushy argues their position.

12:20 p.m. - Court is in recess.

1:25 p.m. - Court reconvenes.
Testimony of witness McGahan resumes.
Counsel for dft. Scrushy begins cross-examination of witness McGahan.

3:00 p.m. - Court is in recess.

3:40 p.m. - Court reconvenes.
Counsel for dft. Scrushy resumes cross-examination of witness McGahan.
Counsel for dft. Siegelman begins cross-examination of witness McGahan.
Government begins re-direct of witness McGahan.
Counsel for dft. Scrushy begins re-cross examination of witness McGahan.
Government calls their next witness Leif Murphy to testify.
Counsel for dft. Scrushy begins cross-examination of witness Murphy.
Government begins re-direct of witness Murphy.
Counsel for dft. Scrushy begins re-cross examination of witness Murphy.
Government calls their next witness Michael David Martin to testify.
Counsel for dft. Roberts asks that the Court give instructions to the jury regarding testimony of several witnesses that have testified.
Government has no objection.
Court will consider giving conclusion at end of Martins testimony.

6:00 p.m. - Court is in recess.

DAY EIGHT

5/10/06

8:35 a.m. - Court convenes.
Government resumes testimony of witness Martin.
Counsel for dft. Siegelman begins cross-examination of witness Martin.
Counsel for dft. Scrushy (at side bar outside hearing of the jury) Motions the Court for a Mistrial.
Government objects to dft. Scrushy's Motion for a Mistrial.
Court DENIES dft. Scrushy's Motion for a Mistrial.
Counsel for dft. Scrushy begins cross-examination of witness Martin.
Counsel for dft. Scrushy (at side bar outside hearing of the jury) Motions the Court for a Mistrial.
Court DENIES dft. Scrushy's Motion for a Mistrial.
Jury is excused for break.
Counsel for dft. Siegelman asks the Court to instruct the witness to only answer what the attorneys are asking.
Counsel for dft. Scrushy wants the Court to instruct witness to stop interjecting matters of no concern of matters of this trial.
Court instructs witness Martin.
Government believes responses are witnesses way of simply trying to explain his answers.
Counsel for dft. Scrushy asks the Court to instruct the witness that dft. Scrushy was acquitted of the charges in the Birmingham case.
Court instructs witness Martin.
Proffer from counsel to the Court for dft. Scrushy regarding the firing of witness Martin.
Government responds to dft. Scrushy's proffer of witness Martin.

10:00 a.m. - Court is in recess.

10:30 a.m. - Court reconvenes.
Jury is seated.
Counsel for dft. Scrushy resumes cross-examination of witness Martin.
Government begins re-direct of witness Martin.
Counsel for dft. Siegelman begins re-cross examination of witness Martin.
Counsel for dft. Scrushy begins re-cross examination of witness Martin.
Government calls their next witness James T. Waggoner to testify.

12:00 p.m. - Court is in recess.

1:15 p.m. - Court reconvenes.
Testimony of witness Waggoner resumes.
Counsel for dft. Siegelman begins cross-examination of witness Waggoner.
Counsel for dft. Scrushy begins cross-examination of witness Waggoner.
Government begins re-direct of witness Waggoner.

Government calls their next witness Charles Taylor Pickett, Jr. to testify.
2:45 p.m. - Court is in recess.
3:20 p.m. - Court reconvenes.
Counsel for dft. Siegelman begins cross-examination of witness Pickett.
Counsel for dft. Scrushy begins cross-examination of witness Pickett.
Government begins re-direct of witness Pickett.
Government calls their next witness Loree Skelton to testify.
5:20 p.m. - Court is in recess.

DAY NINE
5/11/06

8:40 a.m. - Court convenes.
Counsel for dft. Scrushy brings up a matter about a witness for the
Government with the Court outside the presence of the jury.
Government argues their position to the Court.
Jury is seated.
Testimony of witness Skelton resumes.
9:50 a.m. - Court is in recess.
10:15 a.m. - Court reconvenes.
Counsel for dft. Scrushy begins cross-examination of witness Skelton.
12:00 p.m. - Court is in recess.
1:30 p.m. - Court reconvenes.
Counsel for dft. Scrushy resumes cross-examination of witness Skelton.
Counsel for dft. Siegelman begins cross-examination of witness Skelton.
Government begins re-direct examination of witness Skelton.
3:15 p.m. - Court is in recess.
3:50 p.m. - Court reconvenes.
Counsel for dft. Scrushy begins re-cross examination of witness Skelton.
Government calls their next witness John Morrow to testify.
Court gives limited instructions to the jury regarding Courts exhibit 3.
Counsel for dft. Siegelman Motions the Court to Strike Testimony of all
information regarding the CON Board as having nothing to do with his
client.
Court DENIES Motion.
5:25 p.m. - Court is in recess.

DAY TEN
5/15/06

8:45 a.m. - Court convenes.
Counsel for dft. Scrushy begins cross-examination of witness Morrow.
Counsel for dft. Scrushy renews Motion to Strike Testimony and dft.

Siegelman and Hamrick join in.

At (side bar outside hearing of jury) dft. Hamrick Motions the Court to Disqualify Witnesses Testimony because he was not qualified to the jury. Court DENIES motion as not being timely.

Court (at side bar outside hearing of jury) GRANTS dft. Scrushy and Siegelmans Motions to Strike Testimony.

Witness Morrow is excused from the witness stand.

Government calls their next witness Todd Beard to testify.

10:25 a.m. - Court is in recess.

10:50 a.m. - Court reconvenes.

Counsel for dft. Scrushy wants the Court to enter an order instructing Government to provide them with all exhibits when there are changes from what they have a copy of before we start with the witness.

Government argues their position regarding this request.

Court addresses counsel regarding this request.

Jury is seated.

Testimony of witness Beard resumes.

Counsel for dft. Siegelman begins cross-examination of witness Beard.

Counsel for dft. Scrushy begins cross-examination of witness Beard.

Government begins re-direct of witness Beard.

Counsel for dft. Siegelman begins re-cross examination of witness Beard.

Government begins re-re direct examination of witness Beard.

Government calls their next witness Teresa Griswald to testify.

Counsel for dft. Roberts Moves the Court for a Mistrial regarding witness Beards testimony regarding Mr. Nabors.

Counsel for dft. Scrushy joins in on motion.

Court DENIES Motion for a Mistrial.

12:40 p.m. - Court is in recess.

1:40 p.m. - Court reconvenes.

Testimony of witness Griswald begins.

Counsel for dft. Siegelman begins cross-examination of witness Griswald.

Counsel for dft. Scrushy begins cross-examination of witness Griswald.

Government begins re-direct examination of witness Griswald.

Counsel for dft. Siegelman begins re-cross examination of witness Griswald.

Government calls their next witness Ed Packard to testify.

Counsel for dft. Scrushy during direct examination by the Government, Motions the Court for a Daubert Hearing at this time during the testimony of witness Packard.

Court DENIES dft. Scrushy's Motion for a Daubert Hearing.

Defendant Roberts Motions the Court for a Mistrial at this time regarding testimony of witness Packard.

Court DENIES Motion for a Mistrial.

Government responds to arguments made by defense counsel regarding a Daubert Hearing, testimony and the calling of witness Packard.

- 3:25 p.m. - Court is in recess.
Court has In Camera Hearing in robing room with juror.
- 3:50 p.m. - Court reconvenes.
Counsel for dft. Roberts (outside jury presence) Motions the Court to instruct the Government to instruct Lanny Young that he is only to answer what he knows and not get into other things he does not know.
Jury is seated.
Testimony of witness Packard resumes.
Counsel for dft. Siegelman begins cross-examination of witness Packard.
Jury is excused for the day.
Government states that they are filing a Motion.
Court will take this motion up tomorrow after counsel has had time to look at motion.
Counsel for dft. Siegelman would like some direction regarding hostile witnesses from the Government.
Court addresses requests with counsel.
Counsel for dft. Roberts Motions the Court for a Mistrial at this time regarding some of witnesses testimony.
Court DENIES Motion for a Mistrial.
- 5:30 p.m. - Court is in recess.

DAY ELEVEN
5/16/06

- 8:45 a.m. - Court convenes.
Counsel for dft. Siegelman resumes cross-examination of witness Packard.
Counsel for dft. Hamrick begins cross examination of witness Packard.
Counsel for dft. Scrushy begins cross-examination of witness Packard.
- 10:00 a.m. - Court is in recess.
- 10:30 a.m. - Court reconvenes.
Counsel for dft. Scrushy resumes cross-examination of witness Packard.
Government begins re-direct of witness Packard.
Counsel for dft. Siegelman begins re-cross examination of witness Packard.
Counsel for dft. Scrushy begins re-cross examination of witness Packard.
Government calls their next witness Charles E. Granger, Jr. to testify.
Counsel for dft. Siegelman begins cross-examination of witness Granger.
Government begins re-direct examination of witness Granger.
- 12:10 p.m. - Court is in recess.
- 1:30 p.m. - Court reconvenes.
Court GRANTS Motion by counsel for dft. Roberts regarding the Court giving instructions to witness Young about only answering what he knows.
Jury is seated.
Court gives requested jury instructions to the jury per dft. Roberts request.
Government calls their next witness Lanny Young to testify.

Jury is excused for break.
Counsel for dft. Scrushy asks the Court to limit the time that we spend at the charts for each witness.
Court states that charts will not go back to the jury.
3:15 p.m. - Court is in recess.
3:55 p.m. - Court reconvenes.
Testimony of witness Young resumes.
Jury is excused for the day.
Counsel for dft. Siegelman would like to serve a subpoena on witness Young but requests permission in order to do that.
Counsel Glassroth for witness Young addresses the Court regarding the subpoena in question.
Court will allow counsel to serve the subpoena.
Counsel for dft. Scrushy renews his Motion to Sever in this case.
Court DENIES renewed Motion to Sever.
5:25 p.m. - Court is in recess.

DAY TWELVE
5/17/06

8:40 a.m. - Court convenes.
Government resumes direct examination of witness Young.
10:00 a.m. - Court is in recess.
10:40 a.m. - Court reconvenes.
Government resumes direct examination of witness Young.
11:30 a.m. - Court is in recess.
1:15 p.m. - Court reconvenes.
Government resumes direct examination of witness Young.
2:45 p.m. - Court is in recess.
3:25 p.m. - Court reconvenes.
Government resumes direct examination of witness Young.
Counsel for dft. Hamrick begins cross-examination of witness Young.
Jury is excused for the day.
Government objects to the proposed instruction from dft. Scrushy to be given to the jury.
Court will deny that objection.
Court has reviewed document #396 filed by the Government, and finds that the introduction of exhibits by charts over emphasizes testimony in evidence and will grant any objection to exhibits that contain information that can't be redacted or removed from 8/1997 - 2003 time frame.
6:00 p.m. - Court is in recess.

DAY THIRTEEN
5/18/06

8:40 a.m. - Court convenes.
Government objects to dft. Hamrick putting in exhibit #86 into evidence.
Jury is seated.
Counsel for dft. Hamrick resumes cross-examination of witness Young.

10:15 a.m. - Court is in recess.

10:50 a.m. - Court reconvenes.
Counsel for dft. Hamrick resumes cross-examination of witness Young.

12:00 p.m. - Court is in recess.

1:20 p.m. - Court reconvenes.
Counsel for dft. Hamrick resumes cross-examination of witness Young.
Counsel for dft. Roberts begins cross-examination of witness Young.
Counsel for dft. Siegelman begins cross-examination of witness Young.

3:10 p.m. - Court is in recess.

3:45 p.m. - Court reconvenes.
Counsel for dft. Siegelman resumes cross-examination of witness Young.

5:20 p.m. - Court is in recess.

DAY FOURTEEN
5/19/06

8:40 a.m. - Court convenes.
Counsel for dft. Siegelman resumes cross-examination of witness Young.
Government begins re-direct examination of witness Young.

9:55 a.m. - Court is in recess.

10:30 a.m. - Court reconvenes.
Government resumes re-direct examination of witness Young.
Counsel for dft. Hamrick begins re-cross examination of witness Young.
Counsel for dft. Roberts begins re-cross examination of witness Young.
Counsel for dft. Siegelman begins re-cross examination of witness Young.
Court gives requested limited instructions to the jury.
Government calls their next witness Tim Burgess to testify.
Counsel for dft. Hamrick begins cross-examination of witness Burgess.
Counsel for dft. Roberts begins cross-examination of witness Burgess.
Counsel for dft. Roberts Motions the Court to Strike.
Court DENIES Motion to Strike.
Counsel for dfts. Roberts and Scrushy ask the Court to give a requested limited instruction to the jury regarding testimony of witness burgess.
Court gives instruction to the jury.

12:05 p.m. - Court is in recess.

DAY FIFTEEN

5/22/06

8:10 a.m. - Court convenes.
Government calls their next witness Phillip Jordan to testify.
Counsel for dft. Siegelman begins cross-examination of witness Jordan.
Counsel for dft. Hamrick begins cross-examination of witness Jordan.
Government begins re-direct examination of witness Jordan.
Counsel for dft. Siegelman begins re-cross examination of witness Jordan.

10:05 a.m. - Court is in recess.

10:50 a.m. - Court reconvenes.
Government calls their next witness Robert Selak to testify.
Counsel for dft. Siegelman begins cross-examination of witness Selak.
Government begins re-direct of witness Selak.
Government calls their next witness Norwood Kerr to testify.
Counsel for dft. Siegelman begins cross-examination of witness Kerr.
Government begins re-direct of witness Kerr.
Government calls their next witness Patrick Harris to testify.
Counsel for dft. Hamrick begins cross-examination of witness Harris.

12:15 p.m. - Court is in recess.

1:15 p.m. - Court reconvenes.
Counsel for dft. Siegelman begins cross-examination of witness Harris.
Government begins re-direct of witness Harris.
Government calls their next witness Lisa Cardell to testify.
Counsel for dft. Hamrick begins cross-examination of witness Cardell.
Counsel for dft. Siegelman begins cross-examination of witness Cardell.
Government begins re-direct of witness Cardell.
Counsel for dft. Siegelman begins re-cross examination of witness Cardell.
Counsel for dft. Hamrick begins re-cross examination of witness Cardell.
Government calls their next witness Claire Austin to testify.
Court gives a limited instruction to the jury for dfts. Roberts and Scrushy.

3:05 p.m. - Court is in recess.

DAY SIXTEEN

5/23/06

8:40 a.m. - Court convenes.
Government resumes direct examination of witness Austin.

10:00 a.m. - Court is in recess.

10:40 a.m. - Court reconvenes.
Government resumes direct examination of witness Austin.
Counsel for dft. Siegelman begins cross-examination of witness Austin.

12:05 p.m. - Court is in recess.

- 1:15 p.m. - Court reconvenes.
Counsel for dft. Siegelman resumes cross-examination of witness Austin.
Counsel for dft. Hamrick begins cross-examination of witness Austin.
Counsel for dft. Roberts begins cross-examination of witness Austin.
Counsel for dft. Scrushy begins cross-examination of witness Austin.
Government begins re-direct of witness Austin.
Counsel for dft. Siegelman begins re-cross examination of witness Austin.
Government calls their next witness Wade Hope to testify.
- 3:00 p.m. - Jury is excused for break.
Court asks witness Hope several questions after jury is excused for break.
- 3:10 p.m. - Court is in recess.
- 3:55 p.m. - Court reconvenes.
Jury is seated.
Government resumes direct examination of witness Hope.
Counsel for dft. Siegelman begins cross-examination of witness Hope.
Government begins re-direct of witness Hope.
Government calls their next witness Cathy Howard to testify.
No cross-examination by dfts. of witness Howard.
Court gives a limited instruction to the jury for dfts. Roberts and Scrushy.
Counsel for dft. Roberts asks the Court to instruct the government to turn over all documents that pertain to the scope of the western bypass project regarding the Brady obligation.
- 5:30 p.m. - Court is in recess.

DAY SEVENTEEN
5/24/06

- 8:35 a.m. - Court convenes.
Government calls their next witness Loretta Nelson to testify.
Counsel for dft. Siegelman begins cross-examination witness Nelson
Counsel for dft. Hamrick begins cross-examination of witness Nelson.
Government begins re-direct examination of witness Nelson.
Counsel for dft. Siegelman begins re-cross examination of witness Nelson.
Government calls their next witness Pat Hagler to testify.
- 10:00 a.m - Court is in recess.
- 10:40 a.m. - Court reconvenes.
Government resumes direct examination of witness Hagler.
Counsel for dft. Hamrick begins cross-examination of witness Hagler.
Counsel for dfts. Siegelman begins cross-examination of witness Hagler.
Government begins re-direct examination of witness Hagler.
Government calls their next witness Fred Simpler to testify.
- 12:05 p.m. - Court excuses jury for lunch.
Court takes up HealthSouth Motion to Quash with counsel.
Counsel for dft. Scrushy discusses Motion to Quash and documents

requested in subpoena.
Counsel for HealthSouth is withdrawing their Motion to Quash at this time.
Court will DENY Motion to Quash as MOOT with leave to file if necessary in the future.

12:10 p.m. - Court is in recess.
1:35 p.m. - Court reconvenes.
Counsel for dft. Siegelman begins cross-examination of witness Simpler.
Counsel for dft. Hamrick begins cross-examination of witness Simpler.
Government begins re-direct examination of witness Simpler.
Counsel for dft. Siegelman begins re-cross examination of witness Simpler.
Government calls their next witness Jimmy Ramage to testify.
Counsel for dft. Siegelman begins cross-examination of witness Ramage.
Counsel for dft. Hamrick begins cross-examination of witness Ramage.
Government begins re-direct examination of witness Ramage.

3:20 p.m. - Court is in recess.
4:00 p.m. - Court reconvenes.
Government calls their next witness Bill Blount to testify.
Counsel for dft. Siegelman begins cross-examination of witness Blount.
Counsel for dft. Hamrick begins cross-examination of witness Blount.
Counsel for dfts. Roberts and Scrushy have no cross-examination of witness Blount.
Government calls their next witness David Campbell to testify.
No cross- examination by dfts. for witness Campbell.
Court gives a limiting instruction to the jury for dfts. Roberts and Scrushy.

5:50 p.m. - Court is in recess.

DAY EIGHTEEN
5/25/06

8:55 a.m. - Court convenes.
Government calls their next witness Lee Miller to testify.

10:35 a.m. - Court is in recess.
11:00 a.m. - Court reconvenes.
Counsel for dft. Siegelman begins cross-examination of witness Miller.
Government begins re-direct examination of witness Miller.
Counsel for dft. Siegelman begins re-cross examination of witness Miller.
Government calls their next witness Jimmy Allen to testify.

12:05 p.m. - Court is in recess.
1:35 p.m. - Court reconvenes.
Government resumes direct examination of witness Allen.
Counsel for dft. Roberts begins cross-examination of witness Allen.

3:00 p.m. - Court is in recess.
3:35 p.m. - Court reconvenes.

Counsel for dft. Roberts resumes cross-examination of witness Allen.
Counsel for dft. Siegelman begins cross-examination of witness Allen.
Government begins re-direct examination of witness Allen.
Counsel for dft. Roberts begins re-cross-examination of witness Allen.
5:30 p.m. - Court is in recess.

DAY NINETEEN
5/26/06

8:10 a.m. - Court convenes.
Counsel for dft. Siegelman begins re-cross examination of witness Allen.
Jury is excused for break.
Counsel for dft. Roberts asks the Court to redact any parts mentioned in Siegelmans Exhibit #131 that mention Mack Roberts.
Court DENIES request as untimely.
9:45 a.m. - Court is in recess.
10:05 a.m. - Court reconvenes.
Jury is seated.
Government begins re-re-direct examination of witness Allen.
Counsel for dft. Roberts begins re-re-cross-examination of witness Allen.
Counsel for dft. Siegelman begins re-re-cross-examination of witness Allen.
Government calls their next witness Phillip Rawls to testify.
Counsel for dft. Roberts begins cross-examination of witness Rawls.
Government calls their next witness Frank Courson to testify.
Court gives a limiting instruction to the jury for dft. Scrushy.
11:30 a.m. - Court is in recess.

DAY TWENTY
5/30/06

8:35 a.m. - Court convenes.
Government resumes direct examination of witness Courson.
9:45 a.m. - Court is in recess.
10:15 a.m. - Court reconvenes.
Government resumes direct examination of witness Courson.
Counsel for dft. Roberts begins cross-examination of witness Courson.
Counsel for dft. Siegelman begins cross-examination of witness Courson.
Government begins re-direct examination of witness Courson.
Counsel for dft. Siegelman begins re-cross examination of witness Courson.
Counsel for dft. Roberts begins re-cross examination of witness Courson.
Government calls their next witness Don Vaughn to testify.
12:00 p.m. - Court is in recess.
1:40 p.m. - Court reconvenes.
Counsel for dft. Roberts begins cross-examination of witness Vaughn.

Government begins re-direct examination of witness Vaughn.
Counsel for dft. Roberts begins re-cross examination of witness Vaughn.
Counsel for dft. Siegelman begins cross-examination of witness Vaughn.
3:10 p.m. - Court is in recess.
3:40 p.m. - Court reconvenes.
Counsel for dft. Siegelman resumes cross-examination of witness Vaughn.
Government begins re-re-direct examination of witness Vaughn.
Counsel for dft. Roberts at side-bar (outside hearing of the jury) Motions
the Court for a Mistrial.
Court DENIES Motion for a Mistrial.
Counsel for dft. Roberts begins re-re-cross examination of witness
Vaughn.
Counsel for dft. Siegelman begins re-cross examination of witness
Vaughn.
Government recalls their witness William Blount to testify.
Counsel for dft. Siegelman begins cross-examination of witness Blount.
Counsel for dft. Scrushy begins cross-examination of witness Blount.
Government calls their next witness Joe McInnes to testify.
Counsel for dft. Siegelman begins cross-examination of witness McInnes.
Counsel for dft. Roberts begins cross-examination of witness McInnes.
Government begins re-direct examination of witness McInnes.
Counsel for dft. Siegelman begins re-cross examination of witness
McInnes.
5:45 p.m. - Court is in recess.

DAY TWENTY ONE
5/31/06

8:30 a.m. - Court convenes.
Counsel for dft. Siegelman resumes re-cross examination of witness
McInnes.
Government begins re-re-direct examination of witness McInnes.
Government calls their next witness John Derrickson to testify.
Counsel for dft. Roberts begins cross-examination of witness Derrickson.
10:00 a.m. - Court is in recess.
10:35 a.m. - Court reconvenes.
Counsel for dft. Roberts resumes cross-examination of witness
Derrickson.
Counsel for dft. Siegelman begins cross-examination of witness
Derrickson.
Government begins re-direct examination of witness Derrickson.
12:00 p.m. - Court is in recess.
1:05 p.m. - Court reconvenes.
Government calls their next witness Paul Bowlin to testify.
Counsel for dft. Siegelman begins cross-examination of witness Bowlin.

Counsel for dft. Roberts begins cross-examination of witness Bowlin.
2:00 p.m. - Court is in recess.
2:30 p.m. - Court reconvenes.
Government begins re-direct examination of witness Bowlin.
Counsel for dft. Siegelman begins re-cross examination of witness Bowlin.
Government calls their next witness Steve Armberg to testify.
Counsel for dft. Roberts begins cross-examination of witness Armberg.
Government begins re-direct examination of witness Armberg.
Counsel for dft. Roberts begins re-cross examination of witness Armberg.
3:40 p.m. - Jury is excused for the day.
Attorney Blakey for dft. Siegelman argues motion regarding witness Marcato.
Government argues their position regarding dft. Siegelman's motion.
4:30 p.m. - Court is in recess.

DAY TWENTY TWO
6/1/06

8:40 a.m. - Court convenes.
Government calls their next witness Forrest "Mac" Marcato to testify.
Counsel for dft. Siegelman begins cross-examination of witness Marcato.
9:55 a.m. - Court is in recess.
10:20 a.m. - Court reconvenes.
Counsel for dft. Siegelman resumes cross-examination of witness Marcato.
Counsel for dft. Hamrick begins cross-examination of witness Marcato.
Counsel for dft. Roberts begins cross-examination of witness Marcato.
Government begins re-direct examination of witness Marcato.
Counsel for dft. Siegelman begins re-cross examination of witness Marcato.
Government calls their next witness Nancy Marcato to testify.
Counsel for dft. Siegelman begins cross-examination of witness Nancy Marcato.
Counsel for dft. Roberts begins cross-examination of witness Nancy Marcato.
12:05 p.m. - Court is in recess.
1:05 p.m. - Court reconvenes.
Government begins re-direct examination of witness Nancy Marcato.
Counsel for dft. Siegelman begins re-cross examination of witness Nancy Marcato.
Counsel for dft. Roberts begins re-cross examination of witness Nancy Marcato.
Government begins re-re-direct examination of witness Nancy Marcato.
Government calls their next witness Anita Muller to testify.
No cross-examination by defense counsel.

Government calls their next witness Mona George to testify.
3:00 p.m. - Court is in recess.
3:45 p.m. - Court reconvenes.
Government resumes direct examination of witness George.
Counsel for dft. Siegelman begins cross-examination of witness George.
Government begins re-direct examination of witness George.
Counsel for dft. Siegelman begins re-cross examination of witness George.
Government calls their next witness Gerald Marren to testify.
Counsel for dft. Siegelman begins cross-examination of witness Marren.
Government begins re-direct examination of witness Marren.
Government calls their next witness Janice McDonald to testify.
Court gives limiting instruction to the jury for dft. Scrushy.
5:40 p.m. - Court is in recess.

DAY TWENTY THREE

6/2/06

8:40 a.m. - Court convenes.
Counsel for dft. Siegelman begins cross-examination of witness McDonald.
Government begins re-direct examination of witness McDonald.
Counsel for dft. Siegelman begins re-cross examination of witness McDonald.
Government calls their next witness Beth Craine to testify.
10:20 a.m. - Court is in recess.
10:55 a.m. - Court reconvenes.
Government resumes direct examination of witness Craine.
Court gives a limited instruction to the jury.
12:30 p.m. - Court is in recess.

DAY TWENTY FOUR

6/5/06

8:40 a.m. - Court convenes.
Counsel for dft. Hamrick begins cross-examination of witness Craine.
10:00 a.m. - Court is in recess.
10:35 a.m. - Court reconvenes.
Counsel for dft. Hamrick resumes cross-examination of witness Craine.
Counsel for dft. Siegelman begins cross-examination of witness Craine.
Government begins re-direct examination of witness Craine.
Government calls their next witness Chris Hudgins to testify.
Counsel for dft. Roberts begins cross-examination of witness Hudgins.
Government begins re-direct examination of witness Hudgins.
12:40 p.m. - Court is in recess.
1:55 p.m. - Court reconvenes.

Government calls their next witness Sandy Parker to testify.
Government calls their next witness James Mezrano to testify.
Counsel for dft. Siegelman begins cross-examination of witness Mezrano.
Counsel for dft. Hamrick begins cross-examination of witness Mezrano.
Government begins re-direct examination of witness Mezrano.
Counsel for dft. Siegelman begins re-cross examination of witness Mezrano.
Counsel for dft. Hamrick begins re-cross examination of witness Mezrano.
Government begins re-re-direct examination of witness Mezrano.
Counsel for dft. Hamrick begins re-re-cross examination of witness Mezrano.
Government calls their next witness Caleb Hopkins to testify.
Government calls their next witness Deanne Seibert to testify.
Jury is excused for break at this time.
Outside presence of the jury, counsel for dfts. Roberts and Siegelman object to exhibits 194c1-194c4 and others.
Government argues their position regarding the exhibits mentioned by counsel for dfts.
Court addresses issues regarding exhibits 194c1-194c4 and sustains objections to the exhibits by dfts.
4:10 p.m. - Court is in recess.
4:35 p.m. - Court reconvenes.
Government resumes direct examination of witness Seibert.
Counsel for dft. Hamrick begins cross-examination of witness Seibert.
Government begins re-direct examination of witness Seibert.
Government calls their next witness Gayle Traylor to testify.
Counsel for dft. Siegelman begins cross-examination of witness Traylor.
Court gives limiting instruction to the jury for dft. Scrushy.
5:50 p.m. - Court is in recess.

DAY TWENTY FIVE

6/6/06

8:35 a.m. - Court convenes.
Government calls their next witness Jacky Graham to testify.
Counsel for dft. Siegelman begins cross-examination of witness Graham.
Counsel for dft. Hamrick begins cross-examination of witness Graham.
Counsel for dft. Roberts begins cross-examination of witness Graham.
Government begins re-direct examination of witness Graham.
10:40 a.m. - Court is in recess.
11:25 a.m. - Court reconvenes.
Government calls their next witness Sandra Horn to testify.
Counsel for dft. Siegelman begins cross-examination of witness Horn.
Counsel for dft. Hamrick begins cross-examination of witness Horn.
Government calls their next witness John Sanzo to testify.

12:15 p.m. - Court is in recess.
12:55 p.m. - Court reconvenes.
Counsel for dft. Siegelman begins cross-examination of witness Sanzo.
Counsel for dft. Hamrick begins cross-examination of witness Sanzo.
Government begins re-direct examination of witness Sanzo.
Counsel for dft. Siegelman begins re-cross examination of witness Sanzo.
Government begins re-re-direct examination of witness Sanzo.
Counsel for dft. Siegelman begins re-re-cross examination of witness Sanzo.
Jury is excused for the day.
Government states to the Court what witnesses Gary Moore and Billy Stinson plan on testifying to.
Counsel for dfts. Siegelman and Roberts object to the testimony and exhibits to be entered regarding witnesses Gary Moore and Billy Stinson.
Counsel for dft. Hamrick objects to what witness Hornberger will testify to.
Government argues their position regarding this witness and what she will testify to.
Counsel for dft. Hamrick would like the Court to strike the testimony of witness Sanzo.
Government responds to arguments make by counsel for Hamrick.
Court DENIES Motion to Strike Testimony of witness Sanzo.
Counsel for dft. Hamrick Moves the Court to Strike Governments Exhibit number 325 that was admitted in evidence.
Court DENIES Motion to Strike Exhibit 325.
Court will get a written Order entered by tomorrow regarding witnesses Moore, Stinson and Hornberger.
4:35 p.m. - Court is in recess.

DAY TWENTY SIX
6/7/06

8:45 a.m. - Court convenes.
(Outside presence of the jury), counsel Blakey for dft. Siegelman argues their objections to the Court regarding the Order entered today regarding testimony of witnesses Moore, Stinson and Hornberger that are planned to testify today and Motions the Court to Reconsider.
Government responds to the Courts order entered today and to objections made by defense counsel for dft. Siegelman.
Counsel for dft. Roberts argues his objections to the Courts order entered today regarding witnesses.
Court DENIES Motion to Reconsider.
Jury is seated.
Government calls their next witness Billy Stinson to testify.
Counsel for dft. Roberts begins cross-examination of witness Stinson.

Government begins re-direct examination of witness Stinson.
Counsel for dft. Roberts begins re-cross examination of witness Stinson.
10:15 a.m. - Court is in recess.
10:50 a.m. - Court reconvenes.
Government calls their next witness Gary Moore to testify.
Counsel for dft. Roberts begins cross-examination of witness Moore.
Jury is excused for lunch.
(Outside presence of the jury) counsel for dft. Roberts makes a proffer to the Court regarding Burt Kleinpeter exhibits that were entered during testimony of witness Moore.
Counsel for dft. Siegelman makes arguments regardinndg Burt Kleinpeter matters and Moves to Strike witness Moore's testimony.
Counsel for dft. Hamrick makes an oral Objection in Limine.
12:35 p.m. - Court is in recess.
1:45 p.m. - Court reconvenes.
Counsel for dft. Roberts resumes cross-examination of witness Moore.
Counsel for dft. Siegelman begins cross-examination of witness Moore.
Government begins re-direct examination of witness Moore.
Counsel for dft. Roberts begins re-cross examination of witness Moore.
Government begins re-re-direct examination of witness Moore.
Counsel for dft. Roberts begins re-re-cross examination of witness Moore.
Government calls their next witness Rose Lawler to testify.
Government calls their next witness Anita Muller to testify.
Counsel for dft. Siegelman begins cross-examination of witness Muller.
Government begins re-direct examination of witness Muller.
Government calls their next witness Candida Jumalon to testify.
Counsel for dft. Siegelman begins cross-examination of witness Jumalon.
Government begins re-direct examination of witness Jumalon.
4:10 p.m. - Court is in recess.
4:45 p.m. - Court reconvenes.
Government resumes re-direct examination of witness Jumalon.
Government calls their next witness Audie B. Ward to testify.
Counsel for dft. Siegelman begins cross-examination of witness Ward.
Government begins re-direct examination of witness Ward.
Counsel for dft. Siegelman begins re-cross examination of witness Ward.
5:35 p.m. - Court is in recess.

DAY TWENTY SEVEN

6/8/06

8:45 a.m. - Court convenes.
Government calls their next witness Wyndall Elliott to testify.
Counsel for dft. Scrushy begins cross-examination of witness Elliott.
Government begins re-direct examination of witness Elliott.
Government calls their next witness Gerald Smith to testify.

Counsel for dft. Siegelman begins cross-examination of witness Smith.
Government begins re-direct examination of witness Smith.
Jury is excused for break.

9:50 a.m. - Court is in recess.

10:30 a.m. - Court reconvenes.
Counsel for dft. Roberts offers exhibits 112 a,b,c, for Court use only and not for the jury.
The Government rests their case in chief at this time.
Court gives limiting instructions for dfts. Scrushy and Roberts.
Jury is excused for the day.
Court will take Rule 29 Motions up at this time.
Counsel for dft. Roberts orally argues his Rule 29 Motion before the Court.
Government argues their position to dft. Roberts Rule 29 Oral Motion.
Court will take this up under consideration at this time.
Counsel for dft. Siegelman orally argues their Rule 29 Motion before the Court.

11:55 a.m. - Court is in recess.

1:50 p.m. - Court reconvenes.
Counsel for dft. Siegelman resumes argument of his Rule 29 Motion before the Court.

4:30 p.m. - Court is in recess.

4:50 p.m. - Court reconvenes.
Government argues their position to dft. Siegelmans Rule 29 Oral Motion.

5:40 p.m. - Court is in recess.

DAY TWENTY EIGHT

6/9/06

8:15 a.m. - Court convenes.
Counsel for dft. Hamrick orally argues his Rule 29 Motion before the Court and asks the Court to reserve ruling on this motion until all the evidence has been entered in this case.
Government argues their position to dft. Hamrick's Rule 29 Oral Motion.
Counsel for dft. Scrushy orally argues his Rule 29 Motion before the Court.
Government argues their position to dft. Scrushy's Rule 29 Oral Motion.

11:00 a.m. - Court is in recess.

1:15 p.m. - Court reconvenes.
Court will reserve ruling on Motions for Judgment of Acquittal at this time.
Jury is seated.
Counsel for dft. Roberts calls his first witness Jennifer Marcato to testify.
Government begins cross-examination of witness Marcato.
Counsel for dft. Roberts begins re-direct examination of witness Marcato.

Counsel for dft. Roberts calls their next witness Senator Lowell Barron to testify.
Government begins cross-examination of witness Barron.
Counsel for dft. Roberts calls their next witness Charles Swann to testify.
Government begins cross-examination of witness Swann.
Counsel for dft. Roberts begins re-direct examination of witness Swann.
Government begins re-cross examination of witness Swann.
3:25 p.m. - Court is in recess.
3:55 p.m. - Court reconvenes.
Counsel for dft. Roberts calls his next witness Senator Perry A. Hand to testify.
Government begins cross-examination of witness Hand.
Counsel for dft. Roberts calls his next witness Ron Green to testify.
Government begins cross-examination of witness Green.
Counsel for dft. Roberts calls his next witness Richard Lindsey to testify.
Counsel for dft. Siegelman begins direct examination of witness Lindsey.
Government begins cross-examination of witness Lindsey.
Counsel for dft. Roberts calls his next witness Francis Alred to testify.
Counsel for dft. Siegelman begins direct examination of witness Alred.
Government begins cross-examination of witness Alred.
Counsel for dft. Roberts calls his next witness Rosemary Johnson to testify.
Government begins cross-examination of witness Johnson.
Counsel for dft. Roberts begins re-direct examination of witness Johnson.
Government begins re-cross examination of witness Johnson.
Counsel for dft. Roberts calls his next witness Dr. William A. Meehan to testify.
5:15 p.m. - Court is in recess.

DAY TWENTY NINE
6/12/06

8:35 a.m. - Court convenes.
Counsel for dft. Roberts calls his next witness Paul Bowlin to testify.
Government begins cross-examination of witness Bowlin.
Counsel for dft. Roberts begins re-direct examination of witness Bowlin.
Government begins re-cross examination of witness Bowlin.
Counsel for dft. Siegelman begins direct examination of witness Bowlin.
Counsel for dft. Roberts rests at this time.
Counsel for dft. Scrushy calls his first witness Dr. Craig Philpot to testify.
Government begins cross-examination of witness Philpot.
Counsel for dft. Scrushy begins re-direct examination of witness Philpot.
Government begins re-cross examination of witness Philpot.
Counsel for dft. Scrushy begins re-re-direct examination of witness Philpot.

Government begins re-re-cross examination of witness Philpot.

10:00 a.m. - Court is in recess.

10:35 a.m. - Court reconvenes.

Counsel for dft. Scrushy calls his next witness Dr. Gilder L. Wideman to testify.

Government begins cross-examination of witness Wideman.

Counsel for dft. Scrushy begins re-direct examination of witness Wideman.

Counsel for dft. Scrushy calls his next witness Dr. Roosevelt McCorvey to testify.

Counsel for dft. Siegelman begins direct examination of witness McCorvey.

Government begins cross-examination of witness McCorvey.

Counsel for dft. Scrushy begins re-direct examination of witness McCorvey.

Government begins re-cross examination of witness McCorvey.

Counsel for dft. Scrushy begins re-re-direct examination of witness McCorvey.

Counsel for dft. Scrushy calls his next witness General Wyndall L. Clark, Jr. to testify.

Government begins cross-examination of witness Clark.

Counsel for dft. Scrushy begins re-direct examination of witness Clark.

Government begins re-cross examination of witness Clark.

Jury is excused for lunch.

Counsel for dft. Scrushy discusses their position to the Government's Motion in Limine, Doc. [#419].

Government responds to discussions made regarding Motion in Limine, Doc. [#419].

12:10 p.m. - Court is in recess.

1:30 p.m. - Court reconvenes.

Counsel for dft. Scrushy calls his next witness Elmer D. Harris to testify.

Counsel for dft. Siegelman begins direct examination of witness Harris.

Counsel for dft. Roberts begins direct examination of witness Harris.

Counsel for dft. Scrushy begins re-direct examination.

Government begins cross-examination of witness Harris.

3:00 p.m. - Court is in recess.

3:35 p.m. - Court reconvenes.

Government resumes cross-examination of witness Harris.

Counsel for dft. Scrushy rests at this time.

Counsel for dft. Hamrick calls his first witness Robert Childree to testify.

Government begins cross-examination of witness Childree.

Counsel for dft. Hamrick begins re-direct examination of witness Childree.

Counsel for dft. Hamrick calls his next witness Melissa Buckalew to testify.

Government begins cross-examination of witness Buckalew.

Counsel for dft. Hamrick rests at this time.
Governor Siegelman rests at this time.
5:05 p.m. - Court is in recess.
5:25 p.m. - Court reconvenes.
Jury is seated.
All dfts. rests at this time.
The Government rests at this time.
All dfts. Renew their Motion for Judgment of Acquittal at this time.
5:35 p.m. - Court is in recess.

DAY THIRTY
6/13/06

10:15 a.m. - Court convenes.
Court will take up Motion to Withdraw Charts from Evidence from dft. Scrushy.
Court will take up Motion to Reconsider Order regarding Counts 3 and 4.
Court will now take up Rule 29 Motions before the Court.
Counsel for dft. Roberts argues his Rule 29 Motion at this time.
Counsel for dft. Scrushy argues his Rule 29 Motion at this time.
Counsel for dft. Hamrick argues his Rule 29 Motion at this time.
Counsel for dft. Siegelman argues his Rule 29 Motion at this time.
Government responds to the Rule 29 Motions that were just made.
Court DENIES the Government's Motion to Reconsider regarding Counts 3 and 4 of the Indictment.
Government addresses the Court's Ruling on the Denying of their Motion to Reconsider regarding Counts 3 and 4 of the Indictment.
Court will continue to RESERVE RULING on the dfts. Rule 29 Motions at this time.
12:30 p.m. - Court is in recess.

DAY THIRTY ONE
6/14/06

8:55 a.m. - Court convenes.
Court GRANTS Motion to Remove Charts from Evidence.
Court explains to the jury what we will be doing today.
Court gives preliminary instructions to the jury.
10:45 a.m. - Jury is in recess.
11:00 a.m. - Court reconvenes.
Government begins closing arguments.
12:40 p.m. - Court is in recess.
1:30 p.m. - Court reconvenes.
Counsel for dft. Siegelman begins closing arguments.
Counsel for dft. Hamrick begins closing arguments.

3:20 p.m. - Court is in recess.
3:40 p.m. - Court reconvenes.
Closing arguments resume for dft. Hamrick.
Closing arguments begin for dft. Roberts.
6:00 p.m. - Court is in recess.

DAY THIRTY TWO
6/15/06

8:40 a.m. - Court convenes.
Counsel for dft. Scrushy begins closing arguments.
Government finishes closing arguments.
Court concludes giving instructions to the jury.
11:20 a.m. - Court excuses alternate jurors and the twelve jurors remaining are excused to go and pick their foreperson.
11:20 a.m. - Court is in recess.
11:30 a.m. - Court reconvenes.
Jury is seated and notifies the Court that they have selected their foreperson and are ready to begin deliberations.
12:25 p.m. - Court is in recess.

DAY THIRTY THREE
6/16/06

9:00 a.m. - Court convenes to receive a note from the jury that will be placed under seal.
Court discusses note with counsel.
Jury is seated.
Court addresses note with jury and then excuses jury for further deliberations.
10:35 a.m. - Court is in recess.

DAY THIRTY SIX
6/21/06

1:10 p.m. - Court convenes.
Court seats jury panel and gives instructions to the jury regarding a partial verdict.
Jury is excused to resume deliberations.
Counsel for dft. Siegelman objects to the Court giving a partial verdict instruction to the jury.
Counsel for dft. Hamrick objects and adopts dft. Siegelman's objections to the Courts instructions on a partial verdict.
Counsel for dft. Roberts objects to the Courts instructions regarding partial verdict given to the jury.

Counsel for dft. Scrushy objects to the Courts instructions that were given to the jury and adopts objections made by dft. Roberts.
Court overrules objections.

1:22 p.m. - Court is in recess.

DAY THIRTY SEVEN

6/22/06

10:10 a.m. - Conference with juror and counsel. Proceedings under seal.

10:40 a.m. - Court is in recess.

4:45 p.m. - Court reconvenes to take up second note from the jury that will be placed under seal.

Government request the Court give an instruction on the law to the jury.
Government opposes the Allen Charge and asks that it not be given to the jury.

Counsel for dft. Siegelman objects to the Court giving the Allen Charge to the jury at this time. Dft. Siegelman Moves for a Mistrial at this time.

Court DENIES Motion for a Mistrial by dft. Siegelman.

Counsel for dft. Hamrick does not object to the Allen Charge given to the jury and does not waive their Rule 29 Motions.

Counsel for dft. Roberts has no objection to the Allen Charge begin given with a few additional instructions given with it.

Counsel for dft. Scrushy does not object to the Allen Charge begin given.
Government does not object to the Allen Charge if Court will give instruction to the jury that was previously requested and denied by the Court.

Court will give Allen Charge to the jury.

Jury is seated.

Court gives Allen Charge to jury.

Jury is excused for day.

Government objects to Allen Charge begin given.

All dfts. are satisfied.

5:15 p.m. - Court is in recess.

DAY THIRTY EIGHT

6/23/06

10:30 a.m. - Conference with juror and counsel. Proceedings under seal to include (1 letter).

10:55 a.m. - Court is in recess.

DAY THIRTY NINE

6/26/06

1:58 p.m. - Conference with juror and counsel. Proceedings under seal.

2:58 p.m. - Court is in recess.

DAY FORTY

6/27/06

5:20 p.m. - Court convenes.
Court convenes to receive a third note from the jury that will be placed under seal.
Government responds to Court regarding note from jury.
Counsel for dft. Siegelman responds to Court regarding note from the jury.
Counsel for dft. Hamrick responds to Court regarding note from the jury and wants jury to keep deliberating.
Counsel for dft. Roberts responds to Court regarding note from the jury.
Counsel for dft. Scrushy responds to Court regarding note from the jury and joins in on Siegelman and Roberts discussions.
Court will place juror note under seal.
Jury is seated.
Court gives further instructions to the jury, then the jury is excused.
Government objects to instructions given.
Defendants Siegelman, Roberts and Hamrick have no objections to the instructions given.
Defendant Scrushy objects to part of instructions given to jury.
Court will come up with further instructions to give to the jury tomorrow.

6:10 p.m. - Court is in recess.

DAY FORTY ONE

6/28/06

8:45 a.m. - Court convenes.
Court takes up written instructions with counsel that the Court plans on giving to the jury panel.
Government is not satisfied with the Courts instructions to be given to the jury.
Counsel for dft. Siegelman responds to the Courts instructions to be given to the jury.
Counsel for dft. Hamrick responds to the Courts instructions to be given to the jury.
Counsel for dft. Roberts responds to the Courts instructions to be given to the jury.
Counsel for dft. Scrushy responds to the Courts instructions to be given to the jury.

9:15 a.m. - Court is in recess.

9:30 a.m. - Court reconvenes.
Jury is seated.
Court gives further instructions to the jury panel at this time.

Jury is excused for further deliberations.
Government is not satisfied with instructions given to the jury.
Defendants are satisfied with the instructions given to the jury.
9:40 a.m. - Court is in recess.
11:45 a.m. - Court reconvenes to receive another note from the jury that will be placed under seal.
11:47 a.m. - Court is in recess.

DAY FORTY TWO
6/29/06

1:50 p.m. - Court convenes to receive verdict from the jury.
Jury is seated.
Jury verdict is rendered, jury is polled and jurors are thanked and excused for their service in this case.
2:20 p.m. - Court is in recess.
3:50 p.m. - Court reconvenes.
Court takes up bond matters with dfts. Siegelman and Scrushy and ORDERS that conditions of release be placed under seal until further order of this Court.
Counsel for dft. Siegelman requests an extension for filing Rule 29 and 33 motions of 30 days and would like a hearing with the Court.
Court will allow dft. Siegelman's request for an extension.
Counsel for dft. Scrushy would like to stagger their time for filing their motions.
Court will consider deadlines for filing motions and will get a written order out.
4:00 p.m. - Court is in recess.

